

**SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
JANUARY 8, 2004**

BUREAU OF LAND AND WASTE MANAGEMENT

Hazardous Waste Enforcement

- 1) Order Type and Number: Consent Order 03-31-HW
 Order Date: November 24, 2003
 Responsible Party: **Carsonite International Corp.**
 Location/Mailing Address: 605 Bob Gifford Boulevard
 Early Branch, SC 29916

 County: Hampton
 Previous Orders: 02-107-A (\$6,500)
 Permit Number: SCD 067 006 320
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2), the South Carolina Hazardous
 Waste Management Regulations 61-79.262.34(a)(2), R.61-79.262.90,
 R.61-79.265.31, R.61-79.265.173(a), R.61-79.265.173(d), and the South
 Carolina Pollution Control Act, S.C. Code Ann. §48-1-90 (1987).

Summary: Carsonite International Corporation (Respondent) specializes in the development of safety-oriented products for the highway, utility and recreation industries. The Respondent has violated the Hazardous Waste Management Regulations and the Pollution Control Act as follows: failure to label containers holding hazardous waste with an accumulation start date; failure to clean up a hazardous waste discharge; failure to maintain and operate the facility to minimize the possibility of any unplanned or sudden releases to the air, soil, or surface water; failure to close all containers holding hazardous waste except when necessary to add or remove waste; failure to label containers of hazardous waste with the appropriate EPA Hazardous Waste Number(s); and failure to prevent the discharge of organic or inorganic matter into the environment.

Action: The Respondent has agreed to: now and in the future, ensure that all containers of hazardous waste are managed in accordance with R.61-79.262.34 and R.61-79.265 Subpart I – Use and Management of Containers; immediately clean up any discharge of hazardous waste that occurs at the facility; ensure that the facility operates and complies with the requirements of R.61-79.265 Subpart C – Preparedness and Prevention; prevent the discharge of organic or inorganic matter into the environment of the State; and pay a civil penalty in the amount of five thousand, two hundred fifty dollars (**\$5,250.00**). The civil penalty will be paid in one payment.

- 2) Order Type and Number: Consent Order 03-32-HW
 Order Date: November 20, 2003
 Responsible Party: **Culp Petroleum Company, Inc.**
 Location/Mailing Address: P.O. Box 10815
 Rock Hill, SC 29731-0815

 County: York
 Previous Orders: 01-1347-UST (\$0)
 Permit Number: SCR 000 075 309
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2), and the South Carolina Hazardous
 Waste Management Regulations 61-79.263.10(g), R.61-79.263.20(b)

Summary: Culp Petroleum Company, Inc. (Respondent) is a petroleum distributor and hazardous waste transporter. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to ensure that all manifests had been signed and dated prior to transporting waste; failure to obtain a permit in the State of South Carolina prior to transporting hazardous waste.

Action: The Respondent has agreed to: comply with all hazardous waste transporter requirements included in R.61-79.263 and pay a civil penalty in the amount of three hundred dollars (**\$300.00**). The penalty has been paid.

- 3) Order Type and Number: Consent Order 03-33-HW
 Order Date: November 20, 2003
 Responsible Party: **PSC dba Georgia Recovery Systems**
 Location/Mailing Address: 8025 Spence Road
 Fairburn, GA 30213

 County: Fulton
 Previous Orders: None
 Permit Number: GAR 000 009 670
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2), and the South Carolina Hazardous
 Waste Management Regulation 61-79.263.10(g).

Summary: PSC dba Georgia Recovery Systems (Respondent) is a hazardous waste transporter. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to obtain a permit prior to transporting hazardous waste in the State of South Carolina.

Action: The Respondent has agreed to: comply with all hazardous waste transporter requirements included in R.61-79.263 and pay a civil penalty in the amount of two hundred fifty dollars (**\$250.00**). The penalty has been paid.

Underground Storage Tank Enforcement

- 4) Order Type and No.: Consent Order 03-5293-UST
 Order Date: November 4, 2003
 Responsible Party: **Robert G. Kenrick**
 Facility Name: Sportsman Corner
 Facility Address: 2002 W Martintown Road, Clarks
 Hill, SC
 County: McCormick
 UST Permit Number: 12496
 Previous Orders: None
 Violations Cited: R.61-92, §280.30(a), R.61-92,
 §280.62(a)(5).

Summary: Mr. Robert G. Kenrick (Respondent) owns Sportsman Corner located in Clarks Hill, South Carolina. The Respondent has violated the UST Control Regulations as follows: failure to use an adequate spill prevention system, failure to investigate and confirm a suspected release within a reasonable time period by conducting a site check, and failure to submit records documenting compliance with the previously cited violations to the Department upon request.

Action: The Respondent completed the repair of the spill bucket gaskets for the Regular and Premium tanks and conducted soil sampling at both of these locations on December 4th. The Department has assessed a civil penalty of one thousand one hundred dollars (\$1,100.00) that, due to the Respondent's cooperation, will be **suspended** if the information is submitted by December 12, 2003.

- 5) Order Type and Number: Consent Order 03-5433-UST
 Order Date: November 4, 2003
 Responsible Party: **Keenan Energy Company, Inc.**
 Facility Name: Merks BP
 Facility Address: 7426 Wilson Blvd., Columbia
 Richland
 County: Richland
 UST Permit Number: 17601
 Previous Orders: None
 Violations Cited: UST Control Regulations, R.61-92,
 §280.10(e).

Summary: Keenan Energy Company, Inc. (Respondent) supplies petroleum products to USTs in South Carolina. The Respondent has violated the UST Control Regulations as follows: delivering product to USTs for which the owner did not hold a currently valid registration.

Action: The Respondent agreed to institute procedures to minimize the chance of a repeat violation and paid a civil penalty of two hundred fifty dollars (\$250.00).

BUREAU OF WATER

Drinking Water Enforcement

6) Order Type and No.: Consent Order 03-200-DW
Order Date: November 3, 2003
Responsible Party: **Phillips Management Group**
Facility: Willow Creek Apartments
Location/Mailing Address: 3200 Fernandina Road
Columbia, SC 29210
County: Richland
Previous Orders: None
Permit/ID Number: 32-048-1B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(I)(1)

Summary: Phillips Management Group (Respondent) owns and is responsible for a public swimming pool located at Willow Creek Apartments. The Respondent failed to submit a Change Order Request for equipment and structural modification prior to beginning the work.

Action: The Respondent has agreed to: (1) properly operate and maintain the public swimming pool; (2) within thirty (30) days of the Order date, complete all of the special conditions listed on the July 29 and August 22, 2003 Change Order Request forms; and, (3) within thirty (30) days of the Order date, pay a civil penalty of four hundred dollars (**\$400.00**). The penalty has been paid.

7) Order Type and No.: Consent Order 03-209-DW
Order Date: November 7, 2003
Responsible Party: **John Lake**
Facility: Harless-Seymour Subdivision PWS
Location/Mailing Address: PO Box 359
Ware Shoals, SC 29692
County: Greenwood
Previous Order(s): None
Violation(s) Cited: S.C. Code Ann. § 44-55-40(D) and 24A S.C. Code Ann. Regs. 61-58.7(B)(1)
Permit/ID Number: 2450016

Summary: John Lake (Respondent) d/b/a Harless-Seymore Public Water System (PWS) owns and is responsible for the proper operation and maintenance of a PWS. The Respondent failed to properly operate and maintain his PWS.

Action: The Respondent has agreed to: (1) operate the PWS in accordance with applicable State and Federal laws and regulations; (2) within thirty (30) days of the Order date, have all of the violations listed in Findings of Fact #8 corrected and contact the Upper Savannah District Office to schedule an inspection to verify that these items have been corrected; (3) within thirty (30) days of the Order date, submit a copy of Force & Associates' viability report for the referenced PWS; and, (4) within thirty (30) days of the Order date, pay a civil penalty of six hundred dollars **(\$600.00)**.

8)	<u>Order Type and No.:</u>	Consent Order 03-218-DW
	<u>Order Date:</u>	November 20, 2003
	<u>Responsible Party:</u>	Edgefield County W&SA
	<u>Facility:</u>	Edgefield County W&SA PWS
	<u>Location/Mailing Address:</u>	PO Box 416 Edgefield, SC 29824
	<u>County:</u>	Edgefield
	<u>Previous Order(s):</u>	01-199-W (\$9,800), 02-238-W (\$0)
	<u>Violation(s) Cited:</u>	24A S.C. Code Ann. Regs. 61-58.5(P)(1)
	<u>Permit/ID Number:</u>	1920001

Summary: The Edgefield County Water & Sewer Authority (Respondent) owns and is responsible for the proper operation and maintenance of a PWS. The Respondent exceeded the maximum contaminant level (MCL) for the five haloacetic acids (HAA5).

Action: The Respondent has agreed to: (1) operate and maintain the PWS in accordance with applicable State and Federal laws and regulations; (2) conduct a disinfection byproducts reduction study and submit a final report with the findings, conclusions and recommendations from the study no later than October 31, 2004, which must include all requirements stated in the Order; and, (3) include a corrective action plan (CAP) with a corresponding implementation schedule, which upon Department approval, shall become an enforceable part of the Order.

9)	<u>Order Type and No.:</u>	Consent Order 03-220-DW
	<u>Order Date:</u>	November 20, 2003
	<u>Responsible Party:</u>	Fox Creek Golf Club
	<u>Facility:</u>	Fox Creek Golf Club
	<u>Location/Mailing Address:</u>	PO Box 240 Lydia, SC 29079
	<u>County:</u>	Darlington
	<u>Previous Order(s):</u>	None
	<u>Permit/ID Number:</u>	16GC001

Violation(s) Cited:
49-5-90(A)

S.C. Code Ann. § 49-4-50(A) and

Summary: Fox Creek Golf Club (Respondent) is responsible for the proper operation and maintenance of a groundwater and surface water withdrawal system. The Respondent failed to submit its groundwater and surface water withdrawal reports for the 2002 reporting period.

Action: The Respondent has agreed to: (1) report groundwater and surface water withdrawal in accordance with State regulations; (2) within fifteen (15) days of Order date, submit a completed Water Use Report form for 2002; and, (3) within thirty (30) days of Order date, pay a civil penalty of eight hundred dollars **(\$800.00)**.

10)	<u>Order Type and No.:</u>	Consent Order 03-222-DW
	<u>Order Date:</u>	November 21, 2003
	<u>Responsible Party:</u>	Hugo Lyons
	<u>Facility:</u>	Lyons Brother Farms
	<u>Location/Mailing Address:</u>	2601 Old Highway 6 Elloree, SC 29047
	<u>County:</u>	Calhoun
	<u>Previous Order(s):</u>	None
	<u>Permit/ID Number:</u>	09IR032
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 49-4-50(A)

Summary: Hugo Lyons (Respondent) is responsible for the proper operation and maintenance of a surface water withdrawal system. The Respondent failed to submit its surface water withdrawal report for the 2002 reporting period.

Action: The Respondent has agreed to: (1) report surface water withdrawal in accordance with State regulations; (2) within fifteen (15) days of Order date, submit a completed Water Use Report form for 2002; and, (3) within thirty (30) days of Order date, pay a civil penalty of two hundred dollars **(\$200.00)**.

11)	<u>Order Type and No.:</u>	Consent Order 03-223-DW
	<u>Order Date:</u>	November 21, 2003
	<u>Responsible Party:</u>	Brown's Ferry Water Company
	<u>Facility:</u>	Brown's Ferry Water Company
	<u>Location/Mailing Address:</u>	6730 Johnson Road Georgetown, SC 29440
	<u>County:</u>	Horry
	<u>Previous Order(s):</u>	None
	<u>Permit/ID Number:</u>	22WS007
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 49-5-90(A)

County: Orangeburg
Previous Order(s): 99-171-W, (\$42,000)
Permit/ID Number: ND0067288
Violation(s) Cited: S.C. Code Ann. § 48-1-90 (a) and 24
S.C. Code Ann. 61-9.505.41(a)

Summary: David Breland (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving Eastwood Acres Subdivision. The Respondent discharged sewage into the environment, and failed to properly operate and maintain the WWTF in accordance with the Land Application Permit.

Action: The Respondent has agreed to: (1) relinquish the title for the property without benefit of payment for the property, as the County accepted the property in a receivership agreement.

14) Order Type and No.: Consent Order 03-210-W
Order Date: November 3, 2003
Responsible Party: **Utilities Services of South Carolina, Inc.**
Facility: Country Oaks WWTF
Location/Mailing Address: PO Box 4506
West Columbia, SC 29171
County: York
Previous Order(s): 02-220-W Gem Lakes (\$130,500)
02-208-W Trollingwood (\$2,800)
02-207-W Canterbury (\$2,800)
02-182-W Kings Grant (\$0)
02-157-W Kings Grant (\$8,400)
02-109-W Watergate (\$4,200)
02-037-W Lamplighter (\$5,600)
01-165-W United Utilities (\$8,000)
01-100-W Teal on the Ashley (\$40,000)
01-095-W Glenn Village (\$7,000)
00-039-W I-20 (\$14,000)
Permit/ID Number: SC0039217
Violation(s) Cited: S.C. Code Ann. § 48-1-110(d) and
24 S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Utilities Services of South Carolina, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving Country Oaks Subdivision. The Respondent exceeded the permitted discharge limits for fecal coliform bacteria and ammonia-nitrogen.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2)

15)	<u>Order Type and No.:</u>	Consent Order 03-211-W
	<u>Order Date:</u>	November 3, 2003
	<u>Responsible Party:</u>	Utilities Services of South Carolina, Inc.
	<u>Facility:</u>	Shandon WWTF
	<u>Location/Mailing Address:</u>	PO Box 4506 West Columbia, SC 29171
	<u>County:</u>	York
	<u>Previous Order(s):</u>	Same as Item 14
	<u>Permit/ID Number:</u>	SC0027189
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110(d) and
	24 S.C. Code Ann. Regs. 61-9.122.41(a)(1)	

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) submit a CAP addressing ammonia-nitrogen; and, (3) within thirty (30) days of the Order date, pay a civil penalty of four thousand two hundred dollars (\$4,200.00).

16)	<u>Order Type and No.:</u> <u>Order Date:</u> <u>Responsible Party:</u> <u>Facility:</u> <u>Location/Mailing Address:</u> <u>County:</u> <u>Previous Order(s):</u> <u>Permit/ID Number:</u> <u>Violation(s) Cited:</u> 24 S.C. Code Ann. Regs. 61-9.403.8	Consent Order 03-212-W November 3, 2003 City of Lancaster Catawba River WWTF PO Box 1149 Lancaster, SC 29721 Lancaster 99-176-W (\$16,000), 01-169-W (\$38,000) SC0046892 S.C. Code Ann. § 48-1-110(d) and
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Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2)

17)	<u>Order Type and No.:</u>	Consent Order 03-213-W
	<u>Order Date:</u>	November 7, 2003
	<u>Responsible Party:</u>	Andrew G. Rice
	<u>Facility:</u>	Mii-Dera Apartments WWTF
	<u>Location/Mailing Address:</u>	5175 Sunset Blvd, Suite 5 Lexington, SC 29072
	<u>County:</u>	Newberry
	<u>Previous Order(s):</u>	None
	<u>Permit/ID Number:</u>	SC0032042
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-110 (d), 24
	S.C. Code Ann. Regs. 61-9.122.41(j)(3) and (a)(1)	

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) submit a summary of corrective actions taken to achieve compliance with permitted limits; and, (3) submit a CAP addressing compliance with TRC limits. The Department **suspended** the assessed civil penalty amount of seven thousand dollars (**\$7,000.00**) due to an inability to pay.

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Summary: Koppers, Inc. (Respondent) owns and operates a wood treating and preserving facility. The Respondent failed to meet NPDES permit limits for arsenic, copper, phenol, pentachlorophenol and pH and discharged contaminated storm water into waters of the State.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) submit a summary of corrective actions taken; (3) submit a CAP addressing improvements to the site; and, (4) within thirty (30) days of the Order date, pay a civil penalty of thirteen thousand six hundred dollars **(\$13,600.00)**.

19) Order Type and No.: Consent Order 03-215-W
Order Date: November 13, 2003
Responsible Party: **Stowe Woodward Company**
Facility: Stowe Woodward Company
Location/Mailing Address: One Technology Drive
Westborough, MA 01581
County: Spartanburg
Previous Order(s): None
Permit/ID Number: ND0079481
Violation(s) Cited: S.C. Code Ann. § 48-1-110(d) and
24 S.C. Code Ann. 61-9.122.41(l)(4)

Summary: Stowe Woodward Company (Respondent) owns and is responsible for the proper operation and maintenance of an elastomeric roll coatings manufacturing facility. The Respondent failed to submit DMRs.

Action: The Respondent has agreed to: (1) operate and maintain the facility in accordance with applicable State and Federal regulations; (2) submit DMRs in accordance with the requirements in the permit; and, (3) within thirty (30) days of the Order date, pay a civil penalty of two thousand eight hundred dollar **(\$2,800.00)**.

20) Order Type and No.: Consent Order 03-216-W
Order Date: November 17, 2003
Responsible Party: **Isle of Palms Water & Sewer Commission**
Facility: Reverse Osmosis Water Treatment Plant
Location/Mailing Address: PO Box 528
Isle of Palms, SC 29451
County: Charleston
Previous Order(s): None
Permit/ID Number: SC0043583
Violation(s) Cited: S.C. Code Ann. § 48-1-110(d) and
24 S.C. Code Ann. 61-9.122.41(a)

Summary: Isle of Palms Water and Sewer Commission (Respondent) owns and is responsible for the proper operation and maintenance of a Reverse Osmosis Water Treatment Plant. The Respondent failed to adhere to the schedule of compliance prescribed in the permit.

Action: The Respondent has agreed to: (1) operate and maintain the facility in accordance with applicable State and Federal regulations; (2) within thirty (30) days of the Order date, submit either a preliminary engineering report (PER) for construction of facilities necessary to comply with more stringent metals limits or a letter certifying that construction will not be necessary to comply with the more stringent metals limits; and, (3) within thirty (30) days of the Order date, pay a civil penalty of one thousand four hundred dollar **(\$1,400.00)**.

21)	<u>Order Type and No.:</u>	Consent Order 03-219-W
	<u>Order Date:</u>	November 20, 2003
	<u>Responsible Party:</u>	The Heritage Financial Group, Inc.
	<u>Facility:</u>	Rolling Meadows Mobile Home Park
	<u>Location/Mailing Address:</u>	4801 Sunset Boulevard Lexington, SC 29072
	<u>County:</u>	Lexington
	<u>Previous Order(s):</u>	01-035-W (\$2,800)
	<u>Permit Number:</u>	SC0033685
	<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) and S.C. Code Ann. § 48-1-110(d)

Summary: The Heritage Financial Group, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent exceeded the permitted discharge limits for flow and BOD.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within ninety (90) days of the Order date, submit a site map indicating all manholes requiring corrective action and a copy of a contract to perform the corrective actions; (3) beginning one hundred eighty (180) days after the Order date and quarterly thereafter, submit a summary report of all corrective actions taken to eliminate inflow/infiltration (I/I) via the manholes; (4) within one hundred twenty (120) days of the Order date, inspect the sewer connections on all vacant sites and submit a summary report of all deficiencies noted and corrective actions taken; (5) within one hundred fifty (150) days of the Order date, begin inspections of the service connection and sewer laterals for all occupied sites and smoke testing on the sewer mainlines; and, (6) beginning ninety (90) days after performing the smoke testing of the mainlines and quarterly thereafter, submit a

summary report of all deficiencies found and corrective actions taken. The Department **suspended** the assessed civil penalty amount of five thousand six hundred dollars (**\$5,600.00**) due to an inability to pay.

22) Order Type and No.: Consent Order 03-227-W
Order Date: November 21, 2003
Responsible Party: **United Utility Company, Inc.**
Facility: North Greenville College
Location/Mailing Address: PO Drawer 4509
West Columbia, SC 29171
County: Greenville
Previous Order(s): None
Permit/ID Number: SC0026565
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) and S.C. Code Ann. § 48-1-110(d)

Summary: United Utility Company, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to meet NPDES Permit limits for fecal coliform bacteria during the May and June 2003 monitoring periods.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the Order date, submit a summary of corrective actions taken to insure compliance with the fecal coliform limits; and, (3) within thirty (30) days of the Order date, pay a civil penalty of one thousand four hundred dollars (**\$1,400.00**).

BUREAU OF AIR QUALITY

23) Order Type and No.: Consent Order 03-075-A
Order Date: November 3, 2003
Responsible Party: **Supreme Cores of the Carolinas**
Location/Mailing Address: 1426 Camp Creek Road
Lancaster, South Carolina 29720
County: Lancaster
Previous Order(s): None
Permit No.: 1460-0047
Violation(s) Cited: South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program, South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements, and S.C. Code Ann. § 48-1-110(d)

Summary: Supreme Cores makes sand cores used in the manufacture of metal castings and operates pursuant to Operating Permit 1460-0047. On April

20, 2001, Supreme Cores submitted a construction permit application for its core-making process. On September 9, 2001, the Department conducted an inspection and determined that Supreme Cores had installed pieces of equipment prior to obtaining a construction permit from the Department. As required by Construction Permits 1460-0047-CA through-CC, issued on September 19, 2001, Supreme Cores failed to develop and submit operational ranges of its control equipment, prepare and submit its pollution control device Monitoring Plan, submit its annual Monitoring Plan certification report, maintain VOC and HAP consumption records, and submit its annual VOC/HAP consumption report. Supreme Cores began operation of its core-making process on October 16, 2001. Supreme Cores failed to submit an application for a Title V or a Conditional Major Operating Permit no later than 12 months after commencing operation.

Action: On April 14, 2003, the Department issued Supreme Cores a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on May 20, 2003. A Consent Order was negotiated in which the facility agreed to submit its monitoring plan, operational ranges, and VOC/HAP usage records since the effective date of its construction permit, and to pay a civil penalty in the amount of seven thousand dollars (**\$7,000**). The penalty has been paid.

24)	<u>Order Type and No.:</u>	Consent Order 03-079-A
	<u>Order Date:</u>	November 13, 2003
	<u>Responsible Party:</u>	A-Won, Inc.
	<u>Location/Mailing Address:</u>	1749 Memorial Drive Extension Greer, South Carolina 29651
	<u>County:</u>	Greenville
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	None
	<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.2, <u>Prohibition of Open Burning</u>

Summary: A-Won, Inc., is a land-clearing company. A Department investigation on April 22, 2002, found that A-Won was burning land-clearing debris less than 1,000 feet from public roadways and residential property.

Action: On September 11, 2002, the Department issued A-Won a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on October 7, 2003. A Consent Order was negotiated in which A-Won agreed to immediately cease open burning except as provided by South Carolina Air Pollution Control Regulations, and pay a civil penalty in the amount of two thousand five hundred dollars (**\$2,500**). The penalty has been paid.

25)	<u>Order Type and No.:</u>	Consent Order 03-080-A
	<u>Order Date:</u>	November 4, 2003

<u>Responsible Party:</u>	Tranter Radiator Products, Inc.
<u>Location/Mailing Address:</u>	Post Office Box 570 Edgefield, South Carolina 29824
<u>County:</u>	Edgefield
<u>Previous Order(s):</u>	00-017-HW (\$20,000)
<u>Permit No.:</u>	0980-0008
<u>Violation(s) Cited:</u>	SC Code Ann. § 48-1-90(a), SC Code Ann. § 48-1-110(d), South Carolina Air Pollution Control Regulation 61-62.5, Standard 5.1, <u>Lowest Achievable Emission Rate</u> , South Carolina Air Pollution Control Regulation 61-62.5, Standard No. 5, Section II, F(2)(c).

Summary: Tranter manufactures radiators for the electrical industry. Tranter utilized extreme performance coatings that exceeded the allowable 3.5 pounds of VOC per gallon of coating material. The quantity used caused Tranter to exceed its permitted emissions limits for VOC, total HAPs, and individual HAPs for 9 to 28 consecutive months, and to exceed its LAER emissions threshold. Tranter failed to conduct a LAER analysis and apply LAER emissions controls prior to exceeding this emissions threshold. An inspection conducted by the Department on September 6, 2001, indicated that Tranter was not maintaining records of pressure drop readings for its baghouse (ID-09) associated with the shot blast machine as required by its permit.

Action: On August 29, 2002, the Department issued Tranter a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on October 16, 2002. A Consent Order was negotiated in which Tranter agreed to maintain compliance with its permitted usage limits for coatings which contain VOC and HAPs and with its permitted emissions limits for VOC and HAPs, submit a LAER analysis for the facility and a compliance schedule for implementing LAER controls at the facility, and pay a civil penalty in the amount of sixty-seven thousand five hundred dollars (**\$67,500.00**). The penalty has been paid.

Additional Information: **Initially Tranter requested relief from the Standard 5 requirement due to economic infeasibility, which would have required a revision to the State Implementation Plan. When this was not approved, Tranter sought to reduce its high solvent coatings use by implementing a new powder paint system and requested changes to its Permit. This system failed to meet the industry minimum specifications for the coating of these parts at first, and Tranter continued using the high solvent coatings and exceeded its permit limits. During this time frame, Tranter “learned” the powder paint system and can now meet specification with the system for most parts and has reduced its VOC and HAP emissions to well below its permitted limits and below the Standard 5 applicability level.**

28)	<u>Order Type and No.:</u> <u>Order Date:</u> <u>Responsible Party:</u> <u>Location/Mailing Address:</u> <u>County:</u> <u>Previous Order(s):</u> <u>Permit No.:</u> <u>Violation(s) Cited:</u> (g)(2), and (g)(3)	Consent Order 03-083-A November 17, 2003 Nan Ya Plastics Corporation 140 E. Beulah Road Lake City, South Carolina 29560 Williamsburg None 2320-0034 U.S. EPA 40 CFR 63.1334(f), (g)(1),
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Summary: Nan Ya Plastics Corporation, America (Nan Ya), manufactures polyethylene terephthalate chips. Nan Ya operates 12 continuous polymerization lines (ID's SL1 through 12) pursuant to Part 70 (Title V) Air Quality Operating Permit TV-2320-0034, effective March 1, 2002, and subsequent construction permits. U.S. EPA Regulation 40 CFR Part 63 - National Emission Standards for Hazardous Air Pollutants, Subpart JJJ - National Emission Standards For Hazardous Air Pollutant Emissions: Group IV Polymers And Resins (Subpart JJJ), allows Nan Ya a maximum of six excused excursions for each control or recovery device during the first six-month period of operation, five during the second six-month period, and four during the third six-month period. Nan Ya exceeded its excused excursions for lines SL1 through 11 during the first, second, and third semiannual periods of operation. Nan Ya exceeded its excused excursions for line SL12 during the first semiannual period of operation. On May 19, 2003, Nan Ya submitted a plan of corrective action. Nan Ya also indicated that it planned to install a new thermal oxidizer as a backup unit for the existing thermal oxidizers and included a compliance schedule with milestones for installing the new thermal oxidizer. On September 25, 2003, Nan Ya submitted a revised corrective action plan indicating that it would be unable to install a new thermal oxidizer as a backup unit for the existing thermal oxidizers in accordance with the timelines set forth in its original compliance schedule, but outlined steps to control air emissions during periods of process upsets with the thermal oxidizer/steam stripper system.

Action: On March 28, 2003, the Department issued Nan Ya a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on April 29, 2003. A Consent Order was negotiated in which Nan Ya agreed to achieve and maintain compliance with the requirements of U.S. EPA 40 CFR 63 - Subpart JJJ regarding the number of allowable excursions for each control device; follow the steps for corrective action identified in its plan dated September 25, 2003; submit a construction permit application for the new thermal oxidizer; submit an updated plan of corrective action to include the new thermal oxidizer, and pay a civil penalty in the amount of twenty thousand dollars (**\$20,000.00**). The penalty has been paid.

29) Order Type and No.: Consent Order 03-088-A
Order Date: November 21, 2003
Responsible Party: **Jason White Construction Co.**
Location/Mailing Address: 2396 Highway 701 North
 Loris, South Carolina 29569
County: Horry
Previous Order(s): 01-028-A (\$1,000)
Permit No.: N/A
Violation(s) Cited: Consent Order 01-028-A, and South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning

Summary: Jason White Construction Co., Inc., is a construction company. During an investigation on May 1, 2003, at the West Lake subdivision located between Conway and Myrtle Beach, South Carolina, a Department inspector observed five burning piles of land-clearing debris. One pile was located approximately 755 feet from a public roadway.

Action: On July 29, 2003, the Department issued Jason White Construction Co., Inc., a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on November 5, 2003. A Consent Order was negotiated in which Jason White Construction Co., Inc., agreed to immediately cease open burning except as provided by the South Carolina Air Pollution Control Regulations, and to pay a civil penalty in the amount of three thousand one hundred fifty dollars (**\$3,150**) payable in six equal monthly payments of five hundred twenty-five dollars (**\$525**) each.

30) Order Type and No.: Consent Order 03-089-A
Order Date: November 21, 2003
Responsible Party: **Palmer Distribution Services d/b/a Palmer Logistics, LLC**
Location/Mailing Address: 904 Commerce Circle
 Hanahan, South Carolina 29406
County: Charleston
Previous Order(s): None
Permit No.: 0560-0357
Violation(s) Cited: South Carolina Air Pollution Control Regulation 61-62.5, Standard 4, Section IX, Visible Emissions, S.C. Code Ann. §48-1-110(d), and S.C. Code Ann. §48-1-90(a).

Summary: Palmer Distribution Services d/b/a Palmer Logistics, LLC, operates a bulk-material loading and unloading operation. Palmer Distribution Services operates pursuant to Air Quality Operating Permit 0560-0357, issued November 25, 2002. The Operating Permit and State Regulations require that opacity from the loading and unloading operation not exceed 20% during a U.S. Environmental Protection Agency ("USEPA") Method 9 visible emission

observation (“VEO”). The Operating Permit also requires that the handling of materials must be conducted in such a manner that fugitive emissions are minimized, and requires the use of curtains as a containment system for dust and debris. On January 16, 2003, and January 30, 2003, Department personnel observed fugitive dust emissions of pet coke and anthracite coke emanating from process areas. A VEO conducted by Department personnel during each investigation indicated emission averages of 27% and 63% for the highest 6-minute period, respectively. In addition, plastics curtains used to contain fugitive dust and debris were either damaged or missing.

Action: On June 5, 2003, the Department issued Palmer Distribution Services a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on July 30, 2003. A Consent Order was negotiated in which Palmer Distribution Services agreed to take necessary measures to prevent opacity in excess of its permitted limit and to take necessary measures to minimize fugitive emissions from the loading and unloading processes. The Department **suspended** the assessed civil penalty amount of three thousand dollars (\$3,000.00) due to an inability to pay.

31)	<u>Order Type and No.:</u>	Consent Order 03-090-A
	<u>Order Date:</u>	November 25, 2003
	<u>Responsible Party:</u>	Able Machine-Hydraulics, Inc.
	<u>Location/Mailing Address:</u>	Post Office Box 489 Taylors, South Carolina 29687
	<u>County:</u>	Greenville County
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	1200-0270
	<u>Violation(s) Cited:</u>	U.S. Environmental Protection Agency (EPA) 40 CFR 63 Subpart A, <u>General Provisions</u> , and Subpart N, <u>National Emissions Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks</u> .

Summary: Able Machine-Hydraulics, Inc. (“Able Machine”), owns and operates two hard chromium-electroplating tanks. Due to the nature and quantity of its chromium emissions, Able Machine is subject to U.S. EPA Regulation 40 CFR 63 Subpart A, General Provisions, and Subpart N, National Emissions Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. Able Machine was required to demonstrate full compliance with the provisions of Subparts A & N no later than January 25, 1997. Subparts A & N require Able Machine, *inter alia*, to conduct an initial performance test for chromium emissions from each chrome tank. Upon review of Able Machine’s application for renewal of its operating permit, the Department determined that Able Machine had failed to conduct the required initial performance test.

Action: On August 20, 2003, the Department issued Able Machine a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on September 18, 2003. A Consent Order was negotiated in which the facility agreed to submit a site-specific test plan and conduct the required source test no later than 90 days after the execution date of this Order, and to pay a civil penalty in the amount of eight thousand dollars **(\$8,000)**. The penalty is payable in six monthly payments beginning with a payment of three thousand dollars **(\$3,000.00)** due no later than 30 days after the execution date of the Order, followed by five payments of one thousand dollars **(\$1,000.00)**.